

**SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT**

#276751

DATE OF REPORT (DAY-MO.-YEAR)

16 April 2002

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION

☒ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS

☐ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME BAIO, Antonio M.		RANK Sgt.	STAR NO. 1495	SOCIAL SEC. NO. 2 - Unique identifiers	EMPLOYEE NO. 2 - Unique id...	UNIT ASSIGN 015
ADDRESS OF INCIDENT 71-... n. Pine			DATE OF INCIDENT - TIME 19 Nov. 2001 / 1700		BEAT OF INCIDENT 1524	LOCATION CODE* 17
NAME 1. SEABERRY, Robert		RANK P.O.	STAR NO. 3110	SOCIAL SEC. NO. 2 - Unique identifiers	EMPLOYEE NO. 2 - Unique id...	UNIT ASSIGN 015
2. HUERTAS, Carlos		P.O.	19394	1 - Personal info	2 - Unique id...	015
SEX/RACE 1. M/B	D.O.B. 1-... Jan. 1953	DATE OF APPOINTMENT 31 May 1994		DUTY STATUS (TIME OF INCIDENT) <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN PHYS. COND. CODE* 01
2. M/W	1-... Sept. 1974	27 July 1998		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN 01
IF APPLICABLE - DATE ARRESTED / INDICTED		CHARGES		COURT BRANCH	DISPOSITION & DATE	
1.						
2.						
NAME 1 - Person... on 1 - Perso...		ADDRESS** Cook County Jail Div. 2 -		CITY STATE 1 - Perso... C-B	TELEPHONE DNA	SEX/RACE M/B
						D.O.B./AGE 1-... Sep '59
						PHYS. COND. CODE* 01
NAME		ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE
						D.O.B./AGE
						PHYS. COND. CODE*
NAME 1 - Personal info		ADDRESS** 1 - Personal info		CITY STATE Forest Park, Il.	TELEPHONE 1 - Personal info	SEX/RACE FW
						D.O.B./AGE 1-... Nov. '80
						PHYS. COND. CODE* 01

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

Allegation #1 - Complainant, 1 - Perso... IC 1 - Perso... alleged that on 19 Nov. '02 at 1700 hours at 71-... N. Pine, the accused officers falsely arrested him by planting drugs on his person.

Allegation #2 - Complainant, 1 - Perso... IC 1 - Perso... alleged that on 19 Nov. '02 at 1700 hours at 71-... N. Pine, the accused officers stripped searched him.

I.A.D. LOCATION CODES*

01 Food Sales/Restaurant
02 Tavern/Liquor Store
03 Other Business Establishment
04 Police Building
05 Lockup Facility
06 Police Maintenance Facility
07 CPD Automotive Pound Facility
08 Other Police Property
09 Police Communications System
10 Court Room

11 Public Transportation Veh./Facility
12 Park District Property
13 Airport
14 Public Property Other
15 Other Private Premise
16 Expressway/ Interstate System
17 Public Way - Other
18 Waterway, Incl. Park District
19 Private Residence

I.A.D. PHYSICAL CONDITION CODES+

01 No Visible Injury - Apparently Normal
02 No Visible Injury - Under Influence
03 Injured, Not Hospitalized
04 Injured, Not Hospitalized - Under Influence
05 Injured, Hospitalized
06 Injured, Hospitalized - Under Influence
07 Injured, Refused Medical Aid
08 Injured, Refused Medical Aid - Under Influence
09 Deceased
10 Deceased - Under Influence

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

CPD-44.112A (1/84)

COMPUTER GENERATED FORM

C.R. NO.

276751

SUMMARY

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

I/Sgt. interviewed [1 - Pers...], the complainant, who alleged that when he was arrested on 19 Nov. '02, the arresting officers placed narcotics (cocaine) on him and a female white co-defendant (now known as [1 - Personal info]) and had stripped searched him on the street. While in custody, Mr. [1 - Pers...] was interviewed at the Cook County Jail, and stated that he was on Parole for Possession with Intent to Deliver (Cocaine) at the time of his arrest and that he had failed a urine drug test which was administered by his Parole officer 2 days prior to being arrested.

I/Sgt. interviewed the accused police officers and the police officers who were identified as witnesses. In essence, all of the officers denied that narcotics were placed on Mr. [1 - Pers...] nor was Mr. [1 - Pers...] stripped search while on the 7[1 - Pers...] block of north Pine.

I/Sgt. interviewed [1 - Personal info], the co-defendant, who stated that just prior to being arrested on the date and time in question, she had purchased cocaine from Mr. [1 - Pers...] and was in possession of said cocaine when she was arrested. [1 - Personal info] further stated that she had purchased cocaine from Mr. [1 - Pers...] on at least five other occasions. [1 - Personal info] also related that she at no time saw the arresting officers strip search Mr. [1 - Pers...] on the street at 7[2 - Pers...] N. Pine.

ATTACH-
MENTS

INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
0	3-5; 19; 23-25; 28 & 29	0	29

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

ACCUSED: P.O. Robert Seaberry, #3110

ALLEGATION #1: The complainant alleged that the accused officer falsely arrested him by planting drugs on him.

Finding: UNFOUNDED. Investigation found that the allegation did not occur.

Recommendation: No Disciplinary action warranted - Case to be filed.

REVIEWED

DATE: 6/29/02

ALLEGATION #2. The complainant alleged that the accused officer stripped searched him.

Finding: UNFOUNDED. Investigation found that the allegation did not occur.

Recommendation: No Disciplinary action warranted - Case to be filed.

Continued:

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	05 Jan. '02	DATE COMPLETED (DATE OF THIS REPORT)	16 April '02	ELAPSED TIME (TOTAL TIME EXPRESSED IN DAYS)	101
--	-------------	--	--------------	---	-----

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

[1 - Personal info] 1495

SUMMARY REPORT DIGEST CONTINUED

ACCUSED: P.O. Carlos Huertas #19394.

ALLEGATION #1. The complainant alleged that the accused officer falsely arrested him by planting drugs on him.

Finding: UNFOUNDED. Investigation found that the allegation did not occur.

Recommendation: No Disciplinary action warranted - Case to be filed.

ALLEGATION #2. The complainant alleged that the accused officer stripped searched him.

Finding: UNFOUNDED. Investigation found that the allegation did not occur.

Recommendation: No Disciplinary action warranted - Case to be filed.

ATTACHMENT SUMMARY

- Att. #1. Complainant Against Department Member.
- Att. #2. Initiation Report dated 03 Dec. '01 for C.R. #276751.
- Att. #3. Vice Case Report (Both sides) - R.D. #G - 696978.
- Att. #4. Arrest Report for [REDACTED] 1 - Personal info
- Att. #5. Arrest Report for [REDACTED] 1 - Personal info
- Att. #6. Letter written by [REDACTED] 1 - Personal info dated 22 Nov. '02 (3 pages and 1 addressed envelope).
- Att. #7. Letter written by [REDACTED] 1 - Personal info dated 01 Dec. '02 (4 pages and 1 addressed envelope).
- Att. #8. ICAM photo and name search results for [REDACTED] 1 - Personal info (3 pages).
- Att. #9. Cook County Department of Corrections - Interview Request for [REDACTED] 1 - Personal info [REDACTED] 1 - Personal info
- Att. #10. Interview of [REDACTED] 1 - Personal info [REDACTED] 1 - Personal info - To/From/Subject Report.
- Att. #11. Request for Time Extension dated 01 February 2002 - C.R. #276751.
- Att. #12. Interview of A.S.A. Jennifer Hannis - To/From/Subject Report.
- Att. #13. Additional Witnesses Identified - To/From/Subject Report.
- Att. #14. Notification Re: C.R. INVESTIGATION - Witness Identified: P.O. D. Park #19104.
- Att. #15. Notification Re: C.R. INVESTIGATION - Witness Identified: P.O. S. Naszke #11423.
- Att. #16. Notification of Charges/Allegations for P.O. R. Seaberry #3110.
- Att. #17. Administrative Proceedings Rights for P.O. R. Seaberry #3110.
- Att. #18. Request to Secure Legal Counsel for P.O. R. Seaberry #3110.
- Att. #19. To/From/Subject report for P.O. R. Seaberry #3110 re: C.R. #276751.
- Att. #20. Notification of Charges/Allegations for P.O. C. Huertas #19394
- Att. #21. Administrative Proceedings Rights for P.O. C. Huertas #19394
- Att. #22. Request to Secure Legal Counsel for P.O. C. Huertas #19394

ATTACHMENT SUMMARY con't.

Att. #23. To/From/Subject report for P.O. C. Huertas #19394 re: C.R. #276751.

Att. #24. Witness Statement from P.O. D. Park #19104 - To/From/Subject report.

Att. #25. Witness Statement from P.O. S. Naszke #11423 - To/From/Subject report.

Att. #26. Request for Time Extension dated 23 February 2002 - C.R. #276751.

Att. #27. Request for Time Extension dated 29 March 2002 - C.R. #276751.

Att. #28. Interview of [REDACTED] 1 - Personal info - To/From/Subject report.

Att. #29. Letter written by [REDACTED] 1 - Personal info dated 13 April 2002.